

this was some two hundred yards from the dogwood. The horse had dunged twice. About 15 steps off from this latter place we found a discolored spot on the ground. The earth smelled offensive. Some broken bushes were lying on the ground near. They had been disturbed when I saw them, the grave was not far from the path leading from Lotty Foster's to Dula's house, but it was in a secluded thickety ridge. During the search we discovered a large mud hole near James Melton's which we intended to drag but it being late in the evening, put it off until next day. The next day we discovered signs of mud leading off from that direction towards the Yadkin river near Witherspoon's. We had not noticed these signs the day before we dragged the hole but found nothing. No other female had disappeared from that neighborhood at that time except Laura Foster. No other person had gone off from the neighborhood except Thomas Dula.

Cross Examination I think it was about five or six weeks after the disappearance of Laura Foster, before Pauline Foster left for Watauga. She was arrested twice. It was generally reported that Anne Melton indulged in illicit intercourse with others besides the prisoner. I have assisted in employing counsel for the prosecution. I have no feeling of sympathy for the accused. I am influenced solely by consideration for the public good.

Doctor Carter (recalled by the state) testified, "I have heard Pauline Foster examined heretofore also her evidence in this trial, her evidence substantially the same with some exceptions as to matters on which she was not questioned. I observe no conflict in her evidence upon the two occasions.

Here the state rested it's case. The foregoing witnesses were separated, with the exceptions of Col. Isbell and Dr. Carter. Mrs. Anne Melton was allowed to be in court during the examination.